



# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995. See The American Inventors Protection Act of 1999 (AIPA).

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<i>Application No.:</i>	10/044,848
<i>Filing Date:</i>	January 11, 2002
<i>First Named Inventor:</i>	Pathak, et al.
<i>Group Art Unit:</i>	1615
<i>Examiner:</i>	A. Pulliam
<i>Attorney Docket No.:</i>	P30835Div1-C2-R

## CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE WITH SUFFICIENT POSTAGE AS FIRST-CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR PATENTS, MAIL STOP: RCE, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450.

NAME: *Shawn M. Papale*

DATE: *July 8, 2003*

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000) 1233 Off. Gaz. Pat. Office 47 (April 11, 2000), which established RCE practice.

### 1. Submission required under 37 C.F.R. § 1.114

a.  Previously submitted

- Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered)
- Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- Other \_\_\_\_\_

b.  Enclosed

- Amendment/Reply 5 pages
- Affadavit(s)/Declaration(s) of Dr. Rhodes = 25 pages and Dr. Roman = 5 pages
- Information Disclosure Statement (IDS) \_\_\_\_\_ pages
- Form PTO 1449 \_\_\_\_\_ pgs. & \_\_\_\_\_ References
- Return Receipt Postcard (MPEP 503) (specifically itemized) 01 FC:1801 750.00 DA  
02 FC:1251 110.00 DA
- Other \_\_\_\_\_

### 2. Miscellaneous

a.  Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103 (c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(l) required)

b.  Other \_\_\_\_\_

### 3. FEES

The RCE fee under 37 C.F.R. § 1.117(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

a.  The Director is hereby authorized to charge the following fees or credit any overpayments, to

#### Deposit Account No. 19-2570.

General Authorization to charge any and all fees under 37 CFR 1.16 or 1.17, including petitions for extensions of time, relating to this application. (37 CFR 1.136(a)(3))

- RCE fee required under 37 C.F.R. § 1.17(e). \$750.00
- (1) Month Extension of time fee (37 C.F.R. §§ 1.136 and 1.17) \$110.00
- Additional Fees

iv.  **Total Fee to be charged to Deposit Account 19-2570 \$860.00**

### CORRESPONDENCE ADDRESS

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### RESPECTFULLY SUBMITTED,

Signature *Wayne J. Dustman*  
NAME Wayne J. Dustman

Registration No. 33,870